

Romben Aquino (RA 0514)
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ECF CASE 07-CV-7326 (DC)
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Zaid Amian Abdulla Al-Saidi, individually,

Petitioner,

**PETITION FOR
REVIEW OF
NATURALIZATION
DENIAL**

vs.

Andrea J. Quarantillo, officially as District
Director, U.S. Citizenship & Immigration
Services; and the U.S. Citizenship &
Immigration Services,

Defendants.

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I.
INTRODUCTION

1. This is an individual action for a request for a review of the denial of
Petitioner's application for naturalization and a hearing before the District Court,
pursuant to § 310(c) of the Immigration and Nationality Act. 8 U.S.C. § 1421(c).

II.
JURISDICTION

2. The Court has jurisdiction to hear Petitioner's request for a hearing on his
naturalization denial pursuant to 8 U.S.C. § 1421(c).

3. This case involves issues regarding the Immigration and Nationality Act of 1952, as amended, codified at 8 U.S.C. §§ 1101 et seq. Thus, the Court also has subject matter jurisdiction over this matter under the “federal question statute.” 28 U.S.C. § 1331.

4. Officials and agencies of the United States have been named as defendants. Thus, the Court has jurisdiction under the Administrative Procedures Act (“APA”). 5 U.S.C. §§ 551 et seq. and 5 U.S.C. §§ 701 et seq.

III. VENUE

5. Petitioner resides in The Bronx, New York. Under 8 U.S.C. § 1421(c), venue in the Southern District of New York is proper.

IV. PETITIONER

6. Petitioner is a lawful permanent resident of the United States, who resides in The Bronx, NY. Petitioner’s alien registration number is 37-015-638.

V. DEFENDANTS

7. The United States Citizenship and Immigration Services (“USCIS”) is the federal agency tasked with determining eligibility for naturalization.

8. Defendant Andrea J. Quarantillo is the District Director of the New York District office of USCIS, which office denied Petitioner’s application for naturalization.

**VI.
FACTUAL ALLEGATIONS**

9. Petitioner is a lawful permanent resident of the United States. Petitioner was granted lawful permanent residency on November 4, 1980.

10. On or about October 31, 2005, Petitioner submitted an N-400 Application for Naturalization to USCIS.

11. On August 4, 2006, USCIS denied Petitioner's naturalization application.

12. On September 1, 2006, Petitioner filed a Form N-336 "Request for Hearing on a Decision in Naturalization Proceedings under Section 336 of the Immigration and Nationality Act."

13. On October 19, 2006, Petitioner attended a review hearing conducted by an officer of USCIS pursuant to Section 336(a) of the Immigration and Nationality Act. At this hearing, the USCIS officer requested that Petitioner submit additional documents by November 20, 2006. On November 13, 2006, Petitioner submitted the requested documents.

14. On April 20, 2007, USCIS issued a decision affirming its previous decision and denying Petitioner's appeal.

15. Petitioner has exhausted his administrative remedies.

**VII.
CLAIMS FOR RELIEF**

16. Petitioner refers to and incorporates herein Paragraphs 1 through 15 of this Complaint as though set forth in full hereat.

17. Petitioner has been adversely aggrieved by USCIS's erroneous denial and seeks the Court's de novo review of USCIS's August 4, 2006 and April 20, 2007 decisions. 5 U.S.C. § 702 and 8 U.S.C. § 1421(c).

18. Petitioner requests that the Court conduct a de novo hearing on his naturalization application. 8 U.S.C. § 1421(c).

WHEREFORE, Petitioner prays that this honorable Court:

- (1) Review USCIS's denials de novo, make its own findings of fact and conclusions of law, and grant his naturalization application;
- (2) Conduct a de novo hearing on his naturalization application, and grant his naturalization application; and
- (3) Grant such other and further relief as this Court deems proper.

Dated: August 16, 2007
New York, New York

Respectfully submitted,
FERRO & CUCCIA
_____/s/ Romben Aquino____

By:_____
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